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Atty Dkt No. 7610-0040.20  
PATENT

#14

March 20, 2002  
Date  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:  
Richard N. ELLSON et al.

Serial No.: 10/040,925

Group Art Unit: 1614

Filing Date: December 28, 2001

Examiner: Unassigned

Title: DEVICE AND METHOD FOR TRACKING CONDITIONS IN AN ASSAY

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. Applicants respectfully request that the Examiner review and make of record the references identified below.

The references identified below and listed on the attached PTO-1449 forms as Reference Nos. AA-AS were disclosed in parent application Serial No. 09/751,231, filed December 29, 2000. As such, copies of the references are not included pursuant to the provisions of 37 CFR § 1.98(d).

U.S. PATENT DOCUMENTS		
Document No.	Issue Date or Publication Date	Name of Patentee or Applicant
Serial No. 09/669,267	Filed 9/25/00	Ellson et al.
Serial No. 09/669,996	Filed 9/25/00	Ellson et al.
Serial No. 09/669,997	Filed 9/25/00	Mutz et al.
Serial No. 09/712,818	Filed 11/13/00	Ellson et al.
4,500,707	2/19/85	Caruthers et al.
5,436,327	7/25/95	Southern et al.
5,700,637	12/23/97	Southern
5,744,305	4/28/98	Fodor et al.
5,770,358	6/23/98	Dower et al.
5,800,992	9/1/98	Fodor et al.
5,830,645	11/3/98	Pinkel et al.
5,874,214	2/23/99	Nova et al.
5,935,785	8/10/99	Reber et al.
6,030,581	2/29/00	Virtanen
6,180,351	1/30/01	Cattell

NONPATENT DOCUMENTS
Lobnik et al. (1998), "pH Optical Sensors Based on Sol-Gels: Chemical Doping versus Covalent Immobilization," <i>Analytica Chimica Acta</i> 367:159-165.
Offenbacher et al. (1986), "Fluorescence Optical Sensors for Continuous Determination of Near Neutral pH Values," <i>Sensors and Actuators</i> 9:73-84.
Wolfbeis et al. (1986), "Fluorescence Sensor for Monitoring Ionic Strength and Physiological pH Values," <i>Sensors and Actuators</i> 9:85-91.
Wolfbeis et al. (1992), "LED-Compatible Fluorosensor for Measurement of Near-Neutral pH Values," <i>Mikrochimica Acta</i> 108:133-141.

The references identified below and listed on the attached PTO-1449 forms as Reference Nos. AT-BC are newly cited. As such, copies of the newly cited issued patent and nonpatent documents are enclosed. As the first seven references identified below and listed on the attached PTO-1449 form as Reference Nos. AT-AZ are U.S. patent applications, copies are not included pursuant to 37 CFR § 1.98(a)(2)(iii).

U.S. PATENT DOCUMENTS		
Document No.	Issue Date or Publication Date	Name of Patentee or Applicant
Serial No. 09/962,730	Filed 9/24/01	Ellson et al.
Serial No. 09/962,731	Filed 9/24/01	Ellson
Serial No. 09/963,173	Filed 9/25/01	Mutz et al.
Serial No. 09/964,205	Filed 9/25/01	Ellson et al.
Serial No. 09/964,212	Filed 9/25/01	Ellson et al.
Serial No. 09/964,215	Filed 9/25/01	Mutz et al.
Serial No. 09/993,353	Filed 11/13/01	Ellson et al.
6,054,270	4/25/00	Southern et al.

NONPATENT DOCUMENTS
Matteuci et al. (1980), "The Synthesis of Oligodeoxypyrimidines on a Polymer Support," <i>Tetrahedron Letters</i> 21:719-722.
Steel et al. (2000), "The Flow-Thru Chip™: A Three-Dimensional Biochip Platform," <i>Microarray Biochip Technology</i> , Chapter 5, pp. 87-117, BioTechniques Books, Natick, MA.

Applicants would appreciate the Examiner's initialing and returning the attached PTO-1449 form to indicate that all the references have been reviewed and made of record.

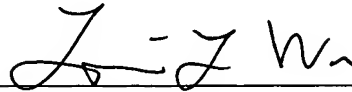
This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any of the above references constitutes prior art to the present application within the meaning of 35 USC § 102.

As applicants have not yet received a first Action on the merits, no fee is required for filing this Information Disclosure Statement. If, however, the PTO finds that for some reason a

fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor. A  
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Respectfully submitted,

By:



Louis L. Wu

Registration No. 44,413

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

APR 01 2002

Application Number	10/040,925
Filing Date	December 28, 2001
First Named Inventor	Richard N. ELLSON
Art Unit	1641
Examiner Name	Unassigned
Attorney Docket Number	7610-0040.20

Sheet	1	of	2
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No.	Issue Date or Publication Date	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date if Appropriate
	AA	Serial No. 09/669,267		Ellson et al.			9/25/00
	AB	Serial No. 09/669,996		Ellson et al.			9/25/00
	AC	Serial No. 09/669,997		Mutz et al.			9/25/00
	AD	Serial No. 09/712,818		Ellson et al.			11/13/00
	AE	4,500,707	2/19/85	Caruthers et al.			
	AF	5,436,327	7/25/95	Southern et al.			
	AG	5,700,637	12/23/97	Southern			
	AH	5,744,305	4/28/98	Fodor et al.			
	AI	5,770,358	6/23/98	Dower et al.			
	AJ	5,800,992	9/1/98	Fodor et al.			
	AK	5,830,645	11/3/98	Pinkel et al.			
	AL	5,874,214	2/23/99	Nova et al.			
	AM	5,935,785	8/10/99	Reber et al.			
	AN	6,030,581	2/29/00	Virtanen			
	AO	6,180,351	1/30/01	Cattell			

**OTHER DOCUMENTS — NONPATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	AP	Lobnik et al. (1998), "pH Optical Sensors Based on Sol-Gels: Chemical Doping versus Covalent Immobilization," <i>Analytica Chimica Acta</i> 367:159-165.	
	AQ	Offenbacher et al. (1986), "Fluorescence Optical Sensors for Continuous Determination of Near Neutral pH Values," <i>Sensors and Actuators</i> 9:73-84.	
	AR	Wolfbeis et al. (1986), "Fluorescence Sensor for Monitoring Ionic Strength and Physiological pH Values," <i>Sensors and Actuators</i> 9:85-91.	
	AS	Wolfbeis et al. (1992), "LED-Compatible Fluorosensor for Measurement of Near-Neutral pH Values," <i>Mikrochimica Acta</i> 108:133-141.	

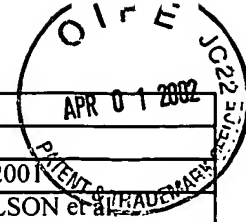
**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No.	Issue Date or Publication Date	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date if Appropriate
	AT	Serial No. 09/962,730		Ellson et al.			9/24/01
	AU	Serial No. 09/962,731		Ellson			9/24/01
	AV	Serial No. 09/963,173		Mutz et al.			9/25/01
	AW	Serial No. 09/964,205		Ellson et al.			9/25/01
	AX	Serial No. 09/964,212		Ellson et al.			9/25/01
	AY	Serial No. 09/964,215		Mutz et al.			9/25/01
	AZ	Serial No. 09/993,353		Ellson et al.			11/13/01
	BA	6,054,270	4/25/00	Southern et al.			

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/040,925
				Filing Date	December 28, 2001
				First Named Inventor	Richard N. ELLSON et al.
				Art Unit	1641
				Examiner Name	Unassigned
				Attorney Docket Number	7610-0040.20
Sheet	2	of	2		



OTHER DOCUMENTS — NONPATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	BB	Matteuci et al. (1980), "The Synthesis of Oligodeoxypyrimidines on a Polymer Support," <i>Tetrahedron Letters</i> <u>21</u> :719-722.	
	BC	Steel et al. (2000), "The Flow-Thru Chip™: A Three-Dimensional Biochip Platform," <i>Microarray Biochip Technology</i> , Chapter 5, pp. 87-117, BioTechniques Books, Natick, MA.	

Examiner Signature		Date Considered	
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